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**To:**

Board of Patent Appeals  
and Interferences  
Case 2009-1853

Alexandria, VA  
22313-1450

From: Dr. Mitchell Swartz  
Weston, MA 02493

**RESPONSE UNDER 37  
CFR 1.116**

**EXPEDITED  
PROCEDURE**

**Fax:**

FAX 571 273 0052

**Date:**

August 27, 2011

**Phone:**

Pages: 48 (Part 1)  
(including this page)

**Re:**

REPLY BRIEF

**CC:**

**Case Number Redacted  
by Examiner Palabrica**

Thank you.

DATED August 26, 2011

Serial No : 09/ 748,691 12/26/2000 Filed: 10/20/2009

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## UNITED STATES PATENT AND TRADEMARK OFFICE

## Board of Patent Appeals and Interferences

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Serial no. 09/ 748,691 12/26/2000

## Board of Patent Appeals and Interferences

Box 1450 Alexandria, VA 22313-1450

FAX 571 273 0052

August 26, 2011

## To Whom it Does Concern:

Transmitted herewith for filing are the following:

- 1) *pro se* reply brief (three copies, 1 printed, 2 on diskette),
- 2) Set of Appendicies and Exhibits already in the record in this and other cases before the Board,
- 3) Copies are included as a CD ROM containing Appendicies in the Record, and those which were hidden from the Board but exposed in the federal appellate court and SCOTUS (Two identical copiess, an original and an identical copy in foam and hard disc protection cover with label).
- 4) A Notice of Appearance,
- 5) This letter, and
- 6) A self-addressed stamped postcard for the stamp of the US Patent Office to indicate receipt.

Thank you.

Respectfully,



Mitchell Swartz, ScD, MD, EE

Weston, Mass

## CERTIFICATE OF MAILING [37 CFR 1.8(a)]

August 26, 2011

To Whom it Does Concern:


I hereby certify that this correspondence will be deposited with the United States Postal Service by First Class Mail, postage prepaid, in an envelope addressed to

**Board of Patent Appeals and Interferences**

Box 1450

Alexandria, VA 22313-1450 on the date below.

Thank you.

Sincerely, 

August 26, 2011

M.R. Swartz